

## THE CITY OF CLAYTON

Board of Aldermen Meeting  
Council Chambers - 10 N. Bemiston Avenue  
July 12, 2011  
7:00 p.m.

### Minutes

Mayor Goldstein called the meeting to order and requested a roll call. The following individuals were in attendance:

Aldermen: Steve Lichtenfeld, Judy Goodman, Michelle Harris, Cynthia Garnholz, and Mark Winings

Mayor Goldstein  
City Manager Owens  
City Attorney O'Keefe

Absent: Andrea Maddox-Dallas

Mayor Goldstein asked for any questions or comments relating to the June 28, 2011 minutes, which were previously provided to the Board.

**Alderman Harris moved to approve the June 28, 2011 minutes. Alderman Goodman seconded the motion.**

**The motion passed unanimously on a voice vote.**

### **PUBLIC REQUESTS AND PETITIONS**

Mr. Steve Arnold, 50 Crestwood Drive, addressed the Board stating that he was glad to hear the discussion on the Boards and Commissions and that he would like to be more involved by becoming a member. He commented that he has been concerned about term limits and the many years that a member has been appointed. He feels that without term limitations a committee can become "stale" and with term limits it provides an opportunity to utilize the talents of other citizens and can also provide fresh ideas.

Mr. Arnold stated that he considers himself a "small person" when it comes to community involvement. He said that the City does a great job in the Central Business District, but the perception he hears is how the City is money hungry and greedy and this saddens him. He said that he has lived in Clayton for over 60 years and he has seen a lot of changes. He feels that Clayton is a unique and special place and he feels that the Central Business District is being given way too much consideration. He said that the streets in Claverach are deplorable with potholes and when he goes down Wydown the top coat of the asphalt is coming off. He said that because of some of these issues he is considering to get involved by possibly becoming a member of one of the City's boards and commissions.

Mr. Arnold also expressed his concern about the parking control personnel. He said that he has eaten breakfast out with a group of friends every day for the past 40 years. He spoke of a very good elderly friend who has a driver and that his friend needs assistance to and from his vehicle. But because of the "cowboy" attitude by the City's parking control his friend's driver can no longer drive up near the entrance of the restaurant and assist him from the vehicle without the threat of a parking ticket. He feels it is very inappropriate to treat citizens in this manner and

that when he questioned the parking control employee(s) on several different occasions he had been given different rules on parking.

Mayor Goldstein thanked Mr. Arnold for expressing his concerns to the Board and said that staff would take a look at the parking issue.

#### ANNUAL REPORT OF PLAN COMMISSION ACTIVITIES TO THE BOARD OF ALDERMEN

During calendar year 2010, the City's Plan Commission/Architectural Review Board considered several development projects as well as requests for Conditional Use Permits and subdivisions. In addition, the Plan Commission held a public hearing regarding an update to the Downtown Clayton Master Plan and Retail Study and subsequently recommended adoption of the Plan to the Board of Aldermen. The Commission also continued their discussions regarding possible revisions to storm water mitigation and impervious coverage allowances for residential projects. The Architectural Review Board considered its first requests for solar panels during this calendar year as well.

As required per Article IX. Section 2, of the Zoning Code, Susan Istenes, Director of Planning gave the Board of Aldermen a detailed presentation on the annual report that outlined the City of Clayton's Plan Commission activities for the year 2010.

In response to Alderman Harris' question, City Manager Owens said that the Weekly Report provides updates to the Board on various issues and/or projects.

In response to Alderman Winings' question, Ms. Istenes stated that she has not received any complaints from citizens that the City's codes and standards are too high are restrictive. She added that most citizens who request permits are in support of the City's requirements and that in her opinion from experience with other cities, Clayton is not overly restrictive.

Alderman Goodman commented that she has heard nothing but positive support with regard to City requirements. She applauded Ms. Istenes on a job well done and encourages moving forward with more sustainable practices such as rain gardens and impervious coverage.

#### AN ORDINANCE TO AMEND THE FISCAL YEAR 2011 BUDGET

City Manager Owens reported as a best management practice, the City of Clayton reviews and makes adjustments to its revenues and expenditures on a quarterly basis to respond to changes as the fiscal year progresses. As part of the quarterly budget review, staff is presenting for consideration amendments to the Fiscal Year (FY) 2011 budget.

	<b><u>FY 2011 Amended Budget</u></b>	<b><u>FY 2011 3rd Quarter Amendments</u></b>	<b><u>FY 2011 Amended Budget</u></b>
Beginning Fund Balance	\$74,509,108		\$74,509,108
Revenues	\$51,328,976	-\$970,350	\$50,358,626
<u>Expenditures</u>	<u>\$63,719,386</u>	<u>-\$1,056,461</u>	<u>\$62,662,925</u>
Ending Fund Balance	\$62,118,698	\$86,111	\$62,204,809

Some of the major items included in the amendment are:

##### General Fund

Revenue – (\$279,600) Right of way permits are more than expected - \$21,500; building permits – one large development was expected but did not occur – (\$225,000); traffic studies will not be

needed for the rest of the year – (\$55,000); Parks & Recreation net program revenue decreased – (\$21,100); Expenditures – (\$67,578)

City Manager - remainder of year savings for the Deputy City Manager position (\$49,500); additional legal fees of \$40,000 related to work from the City and Personnel Attorney's.

IT – remainder of year savings for the IT Director position (\$41,100)

Fire – grant funding not needed (\$4,000)

Public Works – contractual services related to traffic studies – (\$55,000); gas, oil and lubricants - \$70,000 as cost of fuel is up \$1/ gal.

Parks & recreation – net decrease of \$27,978 in program and contractual services expenses.

#### Capital Improvements Fund

Revenue – (\$390,750) Grant and contribution for the Washington University pedestrian underpass project is deferred to FY 2012 – (\$690,750)

Expenditures – (\$988,883) 8015 Forsyth project under budget – (\$5,638); Final micro surfacing costs under budget – (\$7,495); Washington University pedestrian underpass is deferred until FY 2012 – (\$975,750)

The ordinance incorporates the recommended third quarter amendments to the FY 2011 budget. Exhibit 1 provides a summary by revenue and expenditures of the recommended amendments.

Recommendation is to approve the ordinance adopting amendments to the FY 2011 budget as proposed.

**Alderman Lichtenfeld introduced Bill No. 6269 an ordinance amending the Fiscal Year 2011 Budget and appropriating funds pursuant thereto to be read for the first time by title only. Alderman Goodman seconded.**

**City Attorney O'Keefe reads Bill No. 6269 an ordinance amending the Fiscal Year 2011 Budget and appropriating funds pursuant thereto for the first time by title only.**

**The motion passed unanimously on a voice vote.**

**Alderman Lichtenfeld introduced Bill No. 6269 an ordinance amending the Fiscal Year 2011 Budget and appropriating funds pursuant thereto to be read for the second time by title only. Alderman Goodman seconded.**

In response to Alderman Goodman's question, City Manager Owens explained that the City acts as the agent for the Washington University overpass project which is a requirement for the grant match funding, but Washington University will be sustaining all of the costs. The dollar amount in the budget amendment is due to the fact of the timeline of both Washington University and the City's budget year.

**City Attorney O'Keefe reads Bill No. 6269 for the second time. Alderman Lichtenfeld – Aye; Alderman Goodman – Aye; Alderman Harris – Aye; Alderman Garnholz – Aye; Alderman Winings – Aye; and Mayor Goldstein – Aye. The Bill was adopted and became Ordinance No. 6152 of the City of Clayton.**

#### Other

City Manager Owens recognized Don Yucuis, Director of Finance on his 10 year anniversary with the City and also that tonight would be his last meeting with the Board. Don is leaving the City because he has accepted a new position. City Manager Owens expressed that Don has contributed his guidance and development for the last ten years on the City's budget and finances and he commended Don on a job well done.

The Mayor and Board of Aldermen expressed their congratulations and well wishes to Don and his wife Catherine as they ventured into their new future.

Alderman Harris reported that a baby falcon was rescued from the sidewalk and placed back into its nest on the roof of the DHR building.

Alderman Harris reported that the Clayton Century Foundation Board met today and selected four artists for a proposed art piece.

**There being no further regular business, Alderman Winings moved that the Board adjourn to a closed meeting, with a closed vote and record, as authorized by Section 610.021(1), (2) and (3) Revised Statutes of Missouri, relating to legal issues, real estate and/or personnel, and to discuss matters related to negotiation of a contract pursuant to Section 610.021(12), RSMo. and/or proprietary information pursuant to Sec. 610.021(15). Alderman Harris seconded the motion. The motion passed unanimously on a roll call vote cast as follows: Alderman Lichtenfeld – Aye; Alderman Goodman – Aye; Alderman Harris – Aye; Alderman Garnholz – Aye; Alderman Winings – Aye; and Mayor Goldstein – Aye.**

**The motion passed unanimously on a voice vote.**

The meeting adjourned at 8:16 p.m.

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Mayor

ATTEST:

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City Clerk